

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

100-11565-PL-14b
CIVIL ACTION NO. 2004-11565

JASON FILES,)
Plaintiff)
)
v.)
)
MASSACHUSETTS DEPARTMENT)
OF CORRECTIONS,)
Defendant)

NOTICE OF DEPOSITION

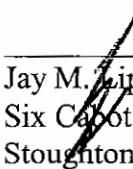
TO: Defendant's Counsel of Record:

Brendan J. Frigault, Esq.
Department of Correction
Massachusetts Treatment Center
30 Administration Road
Bridgewater, MA 02324-3230

Please take notice that the Plaintiff in the above-captioned action, by her attorney, will take the oral deposition of **Keeper of Records, Massachusetts Alcohol & Substance Abuse Center**, for use at trial thereof, pursuant to the applicable provisions of the Massachusetts Rules of Civil Procedure, as made and provided, before Lois Doherty Court Reporting Services, or other competent authority at **the offices of Jay M. Lipis, Esq., located at Six Cabot Place, Unit 8, Stoughton, Massachusetts on Wednesday, June 22, 2005 at 10:00 a.m.** The oral examination will continue from day to day until completed.

You are invited to attend and cross examine.

Respectfully,


Jay M. Lipis - Attorney for the Plaintiff
Six Cabot Place, Unit 8
Stoughton, MA 02072
(781) 341-4841
BBO No: 545771

DATED: May 10, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 2004-11565

JASON FILES,)
Plaintiff)
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Defendant)

SUBPOENA -F.R.C.P. RULE 30(a) & RULE 45

TO: Keeper of Records
Massachusetts Alcohol & Substance Abuse Center
2 Administration Road
Bridgewater, Massachusetts 02324

Greetings:

YOU ARE HEREBY COMMANDED in the name of the Commonwealth of Massachusetts in accordance with the provisions of Rule 30(a) and 45 of the Federal Rules of Civil Procedure to appear and testify on behalf of the plaintiff before a Notary Public of the Commonwealth, at the law office of Jay M. Lipis, Six Cabot Place, Unit 8, Stoughton, Massachusetts, on **Wednesday, June 22, 2005 at 10:00 a.m.** and to testify as to your knowledge, at the taking of the deposition of the above-entitled action.

You are further required to bring with you the following:

- A) **Any and all employment records, logs, lists or other documents containing the names of any and all guards or corrections officers, including but not limited to those guards or officers having a surname of Mosher, Rose or Jackson, that were employed by the Massachusetts Alcohol & Substance Abuse Center between June 3, 2002 and June 3, 2003.**

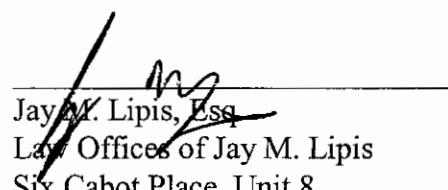
B) **Any and all employment records, logs, lists or other documents that contain the employment schedule of any and all guards or corrections officers, including but not limited to those guards or officers having a surname of Mosher, Rose or Jackson, that were employed by the Massachusetts Alcohol & Substance Abuse Center between June 3, 2002 and June 3, 2003.**

IN LIEU OF APPEARANCE, KINDLY SEND CERTIFIED COPIES OF RECORDS SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

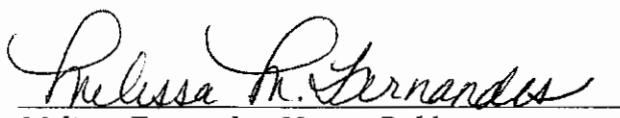
PLEASE NOTE: IF YOU DO NOT PLAN TO APPEAR IN PERSON, YOU MUST FORWARD CERTIFIED COPIES SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY TO THIS OFFICE.

IF WE DO NOT RECEIVE CERTIFIED COPIES WE WILL HAVE TO RE-NOTICE THIS DEPOSITION REQUIRING YOUR PERSONAL APPEARANCE AT THAT TIME.

Hereof fail not as you will answer your default under the pains and penalties in the law in that behalf made and provided.


Jay M. Lipis, Esq.
Law Offices of Jay M. Lipis
Six Cabot Place, Unit 8
Stoughton, MA 02072
(781) 341-4841
BBO#: 545771

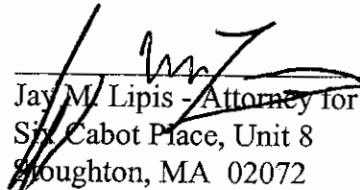
Dated at Stoughton, NORFOLK, SS. this 10th day of May A.D. 2005


Melissa Fernandes, Notary Public
My Commission Expires: March 24, 2011

CERTIFICATE OF SERVICE

I, Jay M. Lipis, Attorney for the plaintiff, do hereby certify that I served a copy of the within *Notice of Deposition for the Keeper of the Records, Massachusetts Alcohol & Substance Abuse Center* by mailing a copy thereof, postage prepaid, to the following:

Brian J. Frigault, Esq.
Department of Correction
Massachusetts Treatment Center
30 Administration Road
Bridgewater, MA 02324-3230



Jay M. Lipis - Attorney for the Plaintiff
Six Cabot Place, Unit 8
Brookline, MA 02072
(781) 341-4841
BBO No: 545771

DATED: May 10, 2005